

**STANLY COUNTY
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 18, 2010**

COMMISSIONERS PRESENT:

Tony Dennis, Chairman
Gene McIntyre, Vice Chairman
Lindsey Dunevant
Jann Lowder
Sherrill Smith

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Andy Lucas, County Manager
Jenny Furr, County Attorney
Tyler Brummitt, Clerk to the Board

CALL TO ORDER

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, October 18, 2010 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dennis called the meeting to order and Vice Chairman McIntyre gave the invocation.

APPROVAL / ADJUSTMENTS TO THE AGENDA

It was requested Item # 3 – Homes of Hope Domestic Violence Program Request be pulled from the agenda. By motion, Vice Chairman McIntyre moved to approve the agenda as amended and was seconded by Commissioner Lowder. The motion passed by unanimous vote.

ITEM # 1 – RETIREMENT AWARD PRESENTATION FOR LORAIN H. LOWDER

The Board took a few moments to recognize Loraine Lowder of the County Manager's office who recently retired with more than sixteen years of service to the county.

ITEM # 2 – PUBLIC HEARING – JOINT WITH THE TOWN OF NEW LONDON ON THE PROPOSED INCENTIVE AGREEMENT WITH MICHELIN N.A.

**Presenter: Andy Lucas, County Manager
Roy Chamlee, Michelin N. A.**

The County Manager provided an overview of the proposed incentive agreement between the town of New London, Stanly County and Michelin, N. A. The company plans to expand the existing facility located at 40589 South Stanly School Road in Norwood with a minimum investment of \$11 million which will create a total of seventy-four (74) new jobs, ten (10) of which will be at the new warehouse facility located at 44017 US Hwy 52 South, New London, NC.

Mayor Calvin Gaddy of New London declared the public hearing open for the New London Town Council and Chairman Dennis declared the public hearing open for the Stanly County Board of County Commissioners. Roy Chamlee of Michelin, N. A. came forward and addressed both boards speaking in favor of the agreement.

With no one else coming forward to speak, both hearings were closed.

New London Council member Bill Peak moved to approve the agreement as presented and was seconded by Council member Charles Akin. The motion passed by unanimous vote.

Stanly County Commissioner Lowder moved to approve the performance agreement as presented and was seconded by Commissioner Smith. The motion passed with a 5 – 0 vote.

See Exhibit A
Performance Agreement: Between Stanly County, NC, the Town of New London, NC
and Michelin North America, Inc.

ITEM # 3 – HOMES OF HOPE DOMESTIC VIOLENCE PROGRAM REQUEST

Presenter: Skeet Ayscue

This item was pulled from the agenda.

ITEM # 4 – UPDATE ON THE ACTIVITY OF THE AGRI-CIVIC CENTER ADVISORY COMMITTEE AND FRIENDS OF THE AGRI-CIVIC CENTER BOARD OF DIRECTORS

Presenter: Candice Moffitt, Director

The Director provided a review of recent activities at the Agri-Civic Center which has included addressing citizen concerns with the facility itself. In response to these concerns, safety stripes have been repainted on the east side patio, additional lighting installed on the handicap ramp and upper level seating areas, as well as back up lighting installed in the auditorium hallways. The Agri-Civic Center Advisory Committee recently adopted a new logo and is in the process of redesigning the website. Since its first meeting in September, the Friends of the Agri-Civic Center organization are close to adopting bylaws for the organization and are in the process of filing for non-profit exemption status with the IRS.

The update was provided as information only and required no action.

ITEM # 5 – UTILITIES

Presenter: Donna Davis, Director

Stanly County Utilities requested authorization to purchase a new truck for field operations. The purchase of the additional truck was not included in the 2010-2011 budget process due to awaiting NC DOT reimbursement funds from a completed project. From the reimbursement received in September 2010, there is \$13,621.36 remaining to be applied toward the purchase of the new vehicle.

Vice Chairman McIntyre moved to authorize the purchase of a new truck for Utilities field operations. The motion was seconded by Commissioner Lowder and passed by unanimous vote.

ITEM # 6 – PRESENTATION OF THE RESOLUTION TO REVERSE THE BAN ON SECTARIAN PRAYER IN THE NC HOUSE OF REPRESENTATIVES

Presenter: Vice Chairman McIntyre

Vice Chairman McIntyre read and requested the Board's consideration of the resolution as a show of support. By motion, Vice Chairman McIntyre moved to approve the resolution and was seconded by Commissioner Dunevant. The motion was passed with a 5 – 0 vote.

Below is the resolution as approved:

RESOLUTION

Request to House Speaker Joe Hackney to Reverse the Ban on Sectarian Prayers

WHEREAS, North Carolina State House Speaker Joe Hackney banned the used of sectarian prayers by volunteer pastors during the opening prayers for the North Carolina House of Representatives; and

WHEREAS, a volunteer minister presenting the opening prayer in the 2010 North Carolina House of Representatives was relieved of his duties due to praying , "In Jesus Name", and

WHEREAS, ministers speaking before the North Carolina House of Representatives should be allowed to offer sectarian prayers according to his / her conscience.

NOW, THEREFORE, BE IT RESOLVED that the Stanly County Board of Commissioners calls on House Speaker Joe Hackney to reverse the ban on sectarian prayers in the North Carolina House of Representatives.

BE IT FURTHER RESOLVED that the Stanly County Board of Commissioners challenges the other counties in North Carolina to join in this request to Speaker Hackney.

This the 18th day of October, 2010.

Tony M. Dennis, Chairman
Board of County Commissioners

ATTEST:

Tyler Brummitt, Clerk to the Board

ITEM # 7 – CONSENT AGENDA

- A. Minutes – Regular meeting on October 4, 2010
- B. Tax Release & Discovery Report for September 2010
- C. Tax refund for Institutional Tops Co. for \$2,713.47 and Derry Well Drilling Inc. for \$605.48
- D. Planning – Request approval of the Abandoned Mobile Home Disposal agreement for Locust and the Village of Misenheimer
- E. Finance – Request acceptance of the “Monthly Financial Report For Three Months Ended September 30, 2010”
- F. Utilities – Request approval of budget amendments # 2011-05, #2011-06, and #2011-07
- G. Utilities – Request approval of the revised “Stanly County Language Access Plan”

By motion, Commissioner Smith moved to approve the consent agenda as presented and was seconded by Vice Chairman McIntyre. The motion passed by unanimous vote.

PUBLIC COMMENT

None

GENERAL COMMENTS

With the upcoming elections, Commissioner Smith encouraged everyone to vote. He also reminded everyone of the “Smith Splash” event scheduled for Saturday at the Stanly County YMCA Park in honor of Smith Snuggs.

Commissioner Lowder wished all the children a safe and happy Halloween and cautioned adults to watch for children who will be trick or treating.

Vice Chairman McIntyre stated early voting had begun and also encouraged everyone to vote.

Commissioner Dunevant informed everyone that local dentist Dr. Leon Peele is sponsoring a candy “buy back” during Halloween. All the candy collected will be packaged and sent to U. S. troops overseas. He also thanked the local agencies who helped with the candidates’ forum the previous week and encouraged everyone to vote.

Chairman Dennis, the County Manager, and County Attorney had no comments.

CLOSED SESSION

Vice Chairman McIntyre moved to recess the meeting to closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss APGI’s public records request, the County’s 401 water quality permit intervention, and the lawsuit filed by Michael and Deborah Martin against the County’s Adequate Public Facilities Ordinance (APFO). The motion was seconded by Commissioner Smith and passed by unanimous vote.

ADJOURN

Commissioner Dunevant moved to adjourn the meeting until Monday, November 1, 2010. His motion was seconded by Vice Chairman McIntyre and passed with a 5 – 0 vote at 8:08 p.m.

Tony M. Dennis, Chairman

Tyler Brummitt, Clerk